

BAKER BOTTS LLP

06-25-01

A

Please type a plus sign (+) inside this box → ⊞

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	A32436-PCT-USA-A-072
First Inventor	BERTRAM JACOBS
Title	VIRAL VECTORS * see attached
Express Mail Label No.	EF321684821US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 15]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description

☒ Claim(s) [Total Sheets 2]

☒ Abstract of the Disclosure [Total Sheets 1]

- 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
- 5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- 6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies
9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: PCT/US00/10948

Prior application information:

Examiner

Group Art Unit:

☒ Customer Number or Bar Code Label

21003

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Janet M. MacLeod

Registration No. (Attorney/Agent)

35,263

Signature

Janet M MacLeod

Date

6/22/2001

1c839 U.S. PTO
06/22/01

09837296 "062201"

1c839 U.S. PTO

09/887295

06/22/01

*Question 4 Addendum

4.a. Drawings are ☐ formal ☒ informal

* Question 5 Addendum

5.c. ☐ An unsigned oath or declaration is included.

* Question 8 Addendum

8.d. ☐ A sequence submission will follow.

* Question 9 Addendum

9.a. ☒ Assignment documents will follow.9.b. ☐ Assignment documents have been filed in parent application No.

* Question 11 Addendum

11.a. ☐ English translation will follow.

* Question 12 Addendum

12.a. ☐ Copies of IDS citations will follow.

* Question 15 Addendum

15.a. ☐ Certified copies of priority documents will follow.15.b. ☐ Certified copies of priority documents have been filed in parent application No.

Use the space below for additional information

--

Title (continued):

VIRAL VECTORS HAVING ENHANCED EFFECTIVENESS WITH REDUCED VIRULENCE

Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
 Prior application information: Examiner: _____ Group Art Unit: _____

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
 Prior application information: Examiner: _____ Group Art Unit: _____

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
 Prior application information: Examiner: _____ Group Art Unit: _____

☐ Amend the specification by inserting before the first line the sentence(s)

☐ "This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ "This application is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein

Priority under 35.U.S.C. §119 is claimed based upon the following applications.

Foreign Applications:

Country: _____

Serial No: _____

Filing Date: _____

Country: _____

Serial No: _____

Filing Date: _____

Country: _____

Serial No: _____

Filing Date: _____

Provisional Applications:

Serial No: 60/136,277

Filing Date: May 27, 1999

Serial No: _____

Filing Date: _____

Serial No: _____

Filing Date: _____

Patent fees are subject to annual revision.		Complete if Known	
		Application Number	A32436-pct-usa-a-072448.0309
		Filing Date	June 21, 20001
		First Named Inventor	BERTRAM JACOBS
		Examiner Name	
		Group Art Unit	
(\$) 355		Attorney Docket No.	A32436-PCT-USA-A-072448.0309

(continued)																																																																																																																																									
<input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 02-4377 Deposit Account Name Baker Botts LLP																																																																																																																																									
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27																																																																																																																																									
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																																																																																																																																									
<table border="0"> <tr> <td>710</td> <td>355</td> <td>Utility filing fee</td> <td><input type="text" value="355"/></td> </tr> <tr> <td>320</td> <td>160</td> <td>Design filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>490</td> <td>245</td> <td>Plant filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>710</td> <td>355</td> <td>Reissue filing fee</td> <td><input type="text"/></td> </tr> <tr> <td>150</td> <td>75</td> <td>Provisional filing fee</td> <td><input type="text"/></td> </tr> <tr> <td colspan="3"></td> <td>(\$) 355</td> </tr> </table>	710	355	Utility filing fee	<input type="text" value="355"/>	320	160	Design filing fee	<input type="text"/>	490	245	Plant filing fee	<input type="text"/>	710	355	Reissue filing fee	<input type="text"/>	150	75	Provisional filing fee	<input type="text"/>				(\$) 355	<table border="0"> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td><input type="text"/></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td><input type="text"/></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td><input type="text"/></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td><input type="text"/></td> </tr> <tr> <td>920*</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td><input type="text"/></td> </tr> <tr> <td>1,840*</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td><input type="text"/></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td><input type="text"/></td> </tr> <tr> <td>390</td> <td>195</td> <td>Extension for reply within second month</td> <td><input type="text"/></td> </tr> <tr> <td>890</td> <td>445</td> <td>Extension for reply within third month</td> <td><input type="text"/></td> </tr> <tr> <td>1,390</td> <td>695</td> <td>Extension for reply within fourth month</td> <td><input type="text"/></td> </tr> <tr> <td>1,890</td> <td>945</td> <td>Extension for reply within fifth month</td> <td><input type="text"/></td> </tr> <tr> <td>310</td> <td>155</td> <td>Notice of Appeal</td> <td><input type="text"/></td> </tr> <tr> <td>310</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td><input type="text"/></td> </tr> <tr> <td>270</td> <td>135</td> <td>Request for oral hearing</td> <td><input type="text"/></td> </tr> <tr> <td>1,510</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td><input type="text"/></td> </tr> <tr> <td>110</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td><input type="text"/></td> </tr> <tr> <td>1,240</td> <td>620</td> <td>Petition to revive - unintentional</td> <td><input type="text"/></td> </tr> <tr> <td>1,240</td> <td>620</td> <td>Utility issue fee (or reissue)</td> <td><input type="text"/></td> </tr> <tr> <td>440</td> <td>220</td> <td>Design issue fee</td> <td><input type="text"/></td> </tr> <tr> <td>600</td> <td>300</td> <td>Plant issue fee</td> <td><input type="text"/></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td><input type="text"/></td> </tr> <tr> <td>50</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td><input type="text"/></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td><input type="text"/></td> </tr> <tr> <td>40</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td><input type="text"/></td> </tr> <tr> <td>710</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td><input type="text"/></td> </tr> <tr> <td>710</td> <td>355</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td><input type="text"/></td> </tr> <tr> <td>710</td> <td>355</td> <td>Request for Continued Examination (RCE)</td> <td><input type="text"/></td> </tr> <tr> <td>900</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td><input type="text"/></td> </tr> </table>	130	65	Surcharge - late filing fee or oath	<input type="text"/>	50	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>	130	130	Non-English specification	<input type="text"/>	2,520	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="text"/>	920*	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>	1,840*	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>	110	55	Extension for reply within first month	<input type="text"/>	390	195	Extension for reply within second month	<input type="text"/>	890	445	Extension for reply within third month	<input type="text"/>	1,390	695	Extension for reply within fourth month	<input type="text"/>	1,890	945	Extension for reply within fifth month	<input type="text"/>	310	155	Notice of Appeal	<input type="text"/>	310	155	Filing a brief in support of an appeal	<input type="text"/>	270	135	Request for oral hearing	<input type="text"/>	1,510	1,510	Petition to institute a public use proceeding	<input type="text"/>	110	55	Petition to revive - unavoidable	<input type="text"/>	1,240	620	Petition to revive - unintentional	<input type="text"/>	1,240	620	Utility issue fee (or reissue)	<input type="text"/>	440	220	Design issue fee	<input type="text"/>	600	300	Plant issue fee	<input type="text"/>	130	130	Petitions to the Commissioner	<input type="text"/>	50	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>	180	180	Submission of Information Disclosure Stmt	<input type="text"/>	40	40	Recording each patent assignment per property (times number of properties)	<input type="text"/>	710	355	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>	710	355	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>	710	355	Request for Continued Examination (RCE)	<input type="text"/>	900	900	Request for expedited examination of a design application	<input type="text"/>
710	355	Utility filing fee	<input type="text" value="355"/>																																																																																																																																						
320	160	Design filing fee	<input type="text"/>																																																																																																																																						
490	245	Plant filing fee	<input type="text"/>																																																																																																																																						
710	355	Reissue filing fee	<input type="text"/>																																																																																																																																						
150	75	Provisional filing fee	<input type="text"/>																																																																																																																																						
			(\$) 355																																																																																																																																						
130	65	Surcharge - late filing fee or oath	<input type="text"/>																																																																																																																																						
50	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>																																																																																																																																						
130	130	Non-English specification	<input type="text"/>																																																																																																																																						
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="text"/>																																																																																																																																						
920*	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>																																																																																																																																						
1,840*	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>																																																																																																																																						
110	55	Extension for reply within first month	<input type="text"/>																																																																																																																																						
390	195	Extension for reply within second month	<input type="text"/>																																																																																																																																						
890	445	Extension for reply within third month	<input type="text"/>																																																																																																																																						
1,390	695	Extension for reply within fourth month	<input type="text"/>																																																																																																																																						
1,890	945	Extension for reply within fifth month	<input type="text"/>																																																																																																																																						
310	155	Notice of Appeal	<input type="text"/>																																																																																																																																						
310	155	Filing a brief in support of an appeal	<input type="text"/>																																																																																																																																						
270	135	Request for oral hearing	<input type="text"/>																																																																																																																																						
1,510	1,510	Petition to institute a public use proceeding	<input type="text"/>																																																																																																																																						
110	55	Petition to revive - unavoidable	<input type="text"/>																																																																																																																																						
1,240	620	Petition to revive - unintentional	<input type="text"/>																																																																																																																																						
1,240	620	Utility issue fee (or reissue)	<input type="text"/>																																																																																																																																						
440	220	Design issue fee	<input type="text"/>																																																																																																																																						
600	300	Plant issue fee	<input type="text"/>																																																																																																																																						
130	130	Petitions to the Commissioner	<input type="text"/>																																																																																																																																						
50	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>																																																																																																																																						
180	180	Submission of Information Disclosure Stmt	<input type="text"/>																																																																																																																																						
40	40	Recording each patent assignment per property (times number of properties)	<input type="text"/>																																																																																																																																						
710	355	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>																																																																																																																																						
710	355	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>																																																																																																																																						
710	355	Request for Continued Examination (RCE)	<input type="text"/>																																																																																																																																						
900	900	Request for expedited examination of a design application	<input type="text"/>																																																																																																																																						
Total Claims <input type="text" value="11"/> .20** = <input type="text" value="0"/> x <input type="text" value="0"/> = <input type="text" value="0"/> Independent Claims <input type="text" value="2"/> - 3** = <input type="text" value="0"/> x <input type="text" value="0"/> = <input type="text" value="0"/> Multiple Dependent <input type="text"/> = <input type="text"/>	Other fee (specify) <input type="text"/>																																																																																																																																								
<table border="0"> <tr> <td>18</td> <td>9</td> <td>Claims in excess of 20</td> <td><input type="text"/></td> </tr> <tr> <td>80</td> <td>40</td> <td>Independent claims in excess of 3</td> <td><input type="text"/></td> </tr> <tr> <td>270</td> <td>135</td> <td>Multiple dependent claim, if not paid</td> <td><input type="text"/></td> </tr> <tr> <td>80</td> <td>40</td> <td>** Reissue independent claims over original patent</td> <td><input type="text"/></td> </tr> <tr> <td>18</td> <td>9</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td><input type="text"/></td> </tr> <tr> <td colspan="3"></td> <td>(\$) 0</td> </tr> </table>	18	9	Claims in excess of 20	<input type="text"/>	80	40	Independent claims in excess of 3	<input type="text"/>	270	135	Multiple dependent claim, if not paid	<input type="text"/>	80	40	** Reissue independent claims over original patent	<input type="text"/>	18	9	** Reissue claims in excess of 20 and over original patent	<input type="text"/>				(\$) 0	(\$) 0																																																																																																																
18	9	Claims in excess of 20	<input type="text"/>																																																																																																																																						
80	40	Independent claims in excess of 3	<input type="text"/>																																																																																																																																						
270	135	Multiple dependent claim, if not paid	<input type="text"/>																																																																																																																																						
80	40	** Reissue independent claims over original patent	<input type="text"/>																																																																																																																																						
18	9	** Reissue claims in excess of 20 and over original patent	<input type="text"/>																																																																																																																																						
			(\$) 0																																																																																																																																						

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

Complete (if applicable)			
Name (Print/Type)	Janet M. MacLeod	Registration No. (Attorney/Agent)	35,263
Telephone	(212) 408-2597	Date	June 22, 2001
Signature			